

REMARKS

In the Final Office Action mailed December 14, 2006,¹ the Examiner rejected claims 1-12, 14, 15, 23-36, 38-52, 54, 55, 63-76, and 78-86 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,065,198 to Brown et al. ("*Brown*") in view of U.S. Patent Application No. 2004/0103152 to Ludwig et al. ("*Ludwig*"); objected to claims 13, 37, 53, and 77 as being dependent upon rejected base claims, but allowable if rewritten in independent form; and indicated that claims 16-22 and 56-62 are allowed.

Applicants respectfully traverse the rejection of the claims under 35 U.S.C. § 103(a).

I. **The Rejection of Claims 1-12, 14, 15, 23-36, 38-52, 54, 55, 63-76, and 78-86 Under 35 U.S.C. § 103(a)**

Applicants respectfully traverse the rejection of claims 1-12, 14, 15, 23-36, 38-52, 54, 55, 63-76, and 78-86 under 35 U.S.C. § 103(a) for at least the reason that the references do not teach or suggest each and every element recited in the claims.

To establish a *prima facie* case of obviousness under 35 U.S.C. § 103(a), each of three requirements must be met. First, all the claim limitations must be taught or suggested by the prior art. See M.P.E.P. § 2143.03 (8th ed., rev. 4, Oct. 2005). Second, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine the references in a manner resulting in the claimed invention. Third, a

¹ As Applicants' remarks with respect to the Examiner's rejections are sufficient to overcome these rejections, Applicants' silence as to certain requirements applicable to such rejections (e.g., whether a reference constitutes prior art, motivation to combine references) is not a concession by Applicants that such requirements have been met, and Applicants reserve the right to analyze and dispute such in the future.

reasonable expectation of success must exist. Moreover, each of these requirements must “be found in the prior art, not in applicant’s disclosure.” M.P.E.P. § 2143 (8th ed., rev. 4, Oct. 2005).

Claim 1, for example, recites a method comprising, “selectively deleting [] stored audio stream data, while [a] conference call is ongoing, based on a determination that a user has exited the conference call” (emphasis added). The cited references fail to teach or suggest this subject matter of claim 1.

The Examiner concedes, “*Brown* does not disclose selectively deleting ... based on a determination that a user has exited the conference call” (emphasis added) (Office Action at p. 3). The Examiner, however, cites to portions of *Ludwig* disclosing “[u]sers may leave a conference by just hanging up, which causes the AVNM to delete the associated callhandles” (Office Action at p. 3, citing *Ludwig*, ¶ 161). The Examiner acknowledges that *Ludwig*’s callhandles cannot correspond to the claimed “audio stream data.” The Examiner, however, states that “*Brown* teaches that callhandles can be derived from audio stream data” (Office Action at p. 7), citing to portions of *Brown* that disclose “the participant from whom the voice data was received is identified ... [t]his identification can be ... made by analyzing the vocal characteristics of the participants voice. An identifier corresponding to the participant and received voice data is stored” (*Brown*, col. 9, lines 39-45).

The Examiner’s position is apparently that the combination of *Brown* and *Ludwig* teaches deriving callhandles or identifiers from audio stream data as allegedly disclosed by *Brown*, and then deleting the callhandles as disclosed by *Ludwig*. However, even assuming *Brown* discloses deriving a callhandle from voice data, and *Ludwig* discloses

deleting callhandles when a user leaves a conference call, the combination of *Brown* and *Ludwig* discloses, at best, deriving a callhandle from voice data and deleting the callhandle when a user leaves the conference call. Nowhere do *Brown* or *Ludwig* teach or suggest deleting audio stream data itself. *Brown* and *Ludwig*, therefore, taken alone or in combination, fail to teach or suggest "deleting [] stored audio stream data ... based on a determination that a user has exited the conference call."

Although of different scope, independent claims 23, 24, 31, 41, 63, 64, 71, and 81-86 recite subject matter similar to that discussed above with respect to claim 1, subject matter which is not taught by the cited references. Claims 2-12, 14, and 15 depend from claim 1; claims 25-30 depend from claim 24; claims 32-36 and 38-40 depend from claim 31; claims 42-52, 54, and 55 depend from claim 41; claims 65-70 depend from claim 64; and claims 72-76 and 78-80 depend from claim 71. These dependent claims are distinguishable from the cited references at least due to their dependence from their respective base claims.

Because the cited references fail to teach or suggest each and every claim element recited by claims 1-12, 14, 15, 23-36, 38-52, 54, 55, 63-76, and 78-86, no *prima facie* case of obviousness has been established with respect to these claims. Applicants therefore respectfully request the Examiner to withdraw the rejection of the claims under 35 U.S.C. § 103(a).

II. The Objection to Claims 13, 37, 53, and 77

Applicants thank the Examiner for indicating that these claims recite allowable subject matter. In light of the remarks and amendments presented herein, Applicants submit that claims 13, 37, 53, and 77 are dependent from allowable base claims, thus obviating the objection.

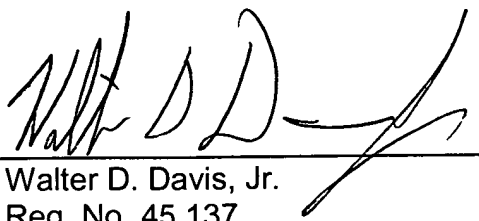
III. Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

If there is any fee due in connection with the filing of this Reply, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

Dated: March 5, 2007

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